

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

PUERTO RICO AMERICAN  
INSURANCE COMPANY

Plaintiff

v.

MAXFLY AVIATION INC. , CRUCIAN  
INTERNATIONAL AIRLINES,  
UNIVERSAL INSURANCE SERVICE,  
INC.; MITSUBISHI HEAVY  
INDUSTRIES INC.; ALFREDA  
OVENSEN, THE CONJUGAL SOCIETY  
COMPOSED BY HER AND SVEND A.  
OVENSEN, DECEASED, AND HEIRS  
OF ALFREDA OVENSEN AND SVEND  
A. OVENSEN,

Defendants

CIVIL 03-1411 (JAG)

ORDER IN RELATION TO DEFAULTED DEFENDANTS CRUCIAN  
INTERNATIONAL AIRLINES; UNIVERSAL INSURANCE SERVICES;  
ALFREDA OVENSEN, THE CONJUGAL SOCIETY COMPOSED BY  
HER AND SVEND A. OVENSEN, DECEASED, AND HEIRS  
OF ALFREDA OVENSEN AND SVEND A. OVENSEN

On April 15, 2002, the late pilot Svend A. Ovensen crashed an aircraft at Taíno Motors car dealership in Carolina, Puerto Rico. As a result of the accident, plaintiff PUERTO RICO AMERICAN INSURANCE COMPANY (PRAICO) paid about \$115,000 to Taíno Motors to cover the damages caused by the plane crash. Exercising its subrogation rights, plaintiff filed this suit on April 15, 2003 seeking damages caused by the above defendants. On March 10, 2005, plaintiff filed a motion requesting judgment by default. The court entered default as to the named defendants on

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June 8, 2004. The matter was referred to me for the setting of a hearing on damages and the entry of judgment, plaintiff having consented to disposition of the case by a United States magistrate judge. Such an evidentiary hearing was held on May 11, 2005, and the testimony of Héctor Luis Torres Rodríguez was heard.

The plaintiff has established through competent evidence, especially the testimony of Héctor Luis Torres Rodríguez, and Exhibit 1, that defendants, joint and severally owe plaintiff the sum of \$95,000 which represents the original debt of \$115,000 less \$20,000 which was received in settlement by a defendant not subject of this order. Therefore, judgment will be entered in favor of plaintiff and against the remaining defaulted defendants for the sum of \$95,000.

SO ORDERED.

In San Juan, Puerto Rico this 13<sup>th</sup>  
day of May, 2005.

S/ JUSTO ARENAS  
Chief United States Magistrate Judge